



The Seattle City Attorney's *Liaison Links*

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Spring 2004

SOUTH PRECINCT INTERSECTION AT A CROSSROADS

Tuere Sala

A year ago if you asked any south precinct patrol officer to identify the worst corner in the precinct, you would likely receive the same answer: Rainier Avenue and South Henderson. The area was besieged with a mixture of criminal behavior (gang activity, drug activity and violence) and general urban congestion of the worst kind. Rainier and Henderson is the site of a major city traffic intersection, a Metro bus transfer center and a commercial hub. Increasingly, the corner became more of a place for people to gather in crowds and hang out as opposed to coming, shopping and going. Drug dealers used the corner bus shelter to hide from police between quick drug transactions using red traffic lights. Litter and recycled waste from nearby bins were also strewn about. The end result was that many senior citizens, as

well as other residents, were fearful of using the bus stop. Businesses and organizations in the area, such as Safeway and the Seattle Public Library, invested time and money redeveloping their buildings to encourage more healthy pedestrian traffic. However, drug dealers and gangs continued their disruptive behavior.

Over the last year a solution to the problem emerged that involved a combination of law enforcement and community development. South precinct commander Captain Tom Byers deployed mounted police, bicycle and emphasis patrols to show a strong police presence in the area, and community police team officer Lauren Truscott worked with community members on ways to beautify the area. Officer Truscott asked Fibre International to relocate two recycle bins, used primarily for general trash, from the corner. She also worked with Metro to have the northbound bus stop moved two blocks south of

the intersection. While these changes may seem small, they are centered around CPTED (Crime Prevention Through Environmental Design) principles, designed to address crime prevention by removing natural and structural flaws that allow criminal behavior to flourish.

The most exciting project is yet to come: local artist Cathy Fields has been commissioned to provide artwork on the railing along the QFC parking lot. The work is being facilitated through Southeast Effective Development (SEED), a neighborhood community development corporation. Ms. Fields was selected from a group of three artists applying for the work, which will center around a theme that celebrates the area's natural and urban environment. The artwork will pay tribute to the strong and enduring animal species that live within city limits and the scenic surroundings of the city together

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with the structural reality of urban life. Her work will include various metals, porcelain enamel paintings and bronze footprints inlaid in cement. Students at Rainier Beach High School are working with SEED's Public Art Workshop intern to cut out the metal shapes, and the Public Art Workshop, with support from Weed & Seed funding, hired a youth to work on the project over the summer. The city, through its community block grant program, is expected to provide primary funding for the project.

Many people have been working tirelessly at improving the quality of life throughout this area: Pamela Green, former Southeast Neighborhood District Coordinator; Teresa Platt, Seattle Department of Transportation; Drew Robinson and Dale Cummings, King County Metro Transit; James Freeman and Brad Tupper, QFC; and Jerri Plumridge and Mary Coss, SEED. Thank you all for your efforts.

HOSPITALITY RESOURCE PANEL

Tamera Soukup

Seattle has experienced a significant increase in downtown residential housing and entertainment establishments in the past ten plus years. This increase has been largely fostered by the city government's vision of turning downtown Seattle into

a 24-hour urban center, coupled with an anticipated reduction in commuter traffic congestion. With residents and nightclubs co-existing, conflicts over noise, public disturbances, litter and alcohol-related violence have increased. These problems have a substantial negative impact on the quality of life for thousands of downtown residents and on the resources of the Seattle police department.

City leaders and agencies are recognizing that meaningful steps must be taken to ensure that residents and the entertainment industry can exist harmoniously within the downtown multi-use district. Seattle is only one of many cities facing the problem of how to create a safe urban residential environment while providing vibrant entertainment for residents and for those who come from outside of the district.

Beginning in the spring of 2003, the Responsibility Hospitality Institute, a national non-profit organization, facilitated the formation of the Hospitality Resource Panel of Seattle (HRP) to assist in assessing the current relationships between neighborhoods, entertainment businesses and city agencies. The goal of the panel was to explore how local government, entertainment businesses, residents and developers could work together to promote responsible growth and maintenance of urban neighborhoods as safe, vibrant places to live, work and play. Several roundtables were facilitated as well as a citywide forum on the

issues. In April 2004, the panel met again to review and discuss the summary report from previous meetings.

What emerged was recognition that the same qualities that attract residents to urban living are the same qualities at the source of the problems: the multi- and split-usage of the district. While "multi" daytime and early evening uses such as shopping and dining blend easily and conveniently with residential environs, the atmosphere changes dramatically after the 10 pm "split" when clubs and entertainment venues are under full swing.

Another important realization was that residents often feel like "urban prisoners" of the nightclubs and late night entertainment venues, with no escape from the loud music, crowds spilling out onto the sidewalks, over-service of alcohol and other problems. With the city lacking sufficient regulatory tools to ensure that these businesses act as responsible neighbors, one key recommendation from the report was that the city reform its business licensing regulations. Currently Seattle does not have a business licensing system in place that requires businesses to operate responsibly and in compliance with fire, health, noise, land use and criminal codes. The creation and application of such a coordinated system would provide the city with an effective weapon against irresponsible business owners.

In turn, entertainment business owners spoke of the need for improved city communication and

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outreach to assist in opening or upgrading venues. One suggestion identified the need for a formal “early assistance team” to coordinate public and private entities and intervene with errant businesses. Another suggestion provided for a small-business-to-business mentoring program. Finally, while some nightclubs effectively manage risk while others cannot maintain control, perhaps formal education and training programs for nightclub staff and management would be appropriate.

Following the April 2004 HRP Summit meeting, city council member Nick Licata convened a public stakeholder panel discussion to explore ideas, ease tensions and address nighttime businesses that refuse to be good neighbors. The panel was successful in bringing many different interests to the table to air concerns; however, the group failed to map out ideas to resolve the conflicts. Future steps should include the support and leadership of the mayor’s office and city council to develop and implement a strategy to encourage urban businesses to work with policymakers and downtown residents to help achieve livability for everyone.

EAST PRECINCT LIQUOR ISSUES - AN UPDATE

Ed McKenna

Alcohol issues take up a

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substantial amount of time for the city attorney’s liaison in the east precinct. Working with the Seattle police department, the liaison attorney actively investigates prospective liquor license applicants and new liquor service locations in order to head off public safety problems.

Although the City has had to object to some liquor license applications, the process can at times be satisfying for all parties due to an applicant’s enthusiasm in addressing community concerns. La Louisiana on Cherry Street is one such example. While this newsletter has previously reported on La Louisiana’s efforts to negotiate a Good Neighbor Agreement, the prior owner recently withdrew his liquor application and sold the business. The new owner applied for a liquor license and fortunately maintains the same philosophy as his predecessor by readily agreeing to enter into a Good Neighbor Agreement. As a result the City requested that the liquor control board issue a liquor license for the establishment. Likewise, the owner of Cheap Smokes & Beverage on East Olive Way agreed to be a good neighbor. While the name may conjure up images of a problem establishment, the licensee intends to open under a different trade name. After proposing a Good Neighbor Agreement, the owner entered into an arrangement which limits the types of product commonly sold to chronic public inebriates.

Unfortunately, not every liquor license applicant bears public

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safety in mind. Recently, the city received an application for The Hall, a large Masonic-type building located on 14th Avenue. This establishment—where “rave” parties are the norm—has long been the source of chronic public safety problems. Police have responded more than sixty times in the past year, and there have been more than one hundred calls for police service in the immediate vicinity. Police have also observed frequent underage drinking, narcotics use and explicit sexual conduct taking place on the premises. As a result of the city’s concerns, the liquor control board denied the establishment a liquor license. Ironically, this application process drew the city’s attention to the on-going use of the property and related public safety issues. Owners may expect additional city resources to be focused on their establishment.

Another liquor license objection was raised by the city in response to a prospective purchaser of Deano’s Market on East Madison Street. The community surrounding this establishment has suffered long-standing public safety problems: rampant narcotics dealing, chronic public inebriation, and public consumption from open containers of alcohol. When approached with a Good Neighbor Agreement the prospective purchaser not only declined to sign, he declined to negotiate any terms or conditions. Ultimately, the city filed an objection to the transfer of the existing liquor license to the prospective owner. With no long-term lease tenant or Good Neighbor Agreement in

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place, neither the current owner nor prospective purchaser of the business would have much incentive to comply with the law. According to the property owner, both Deano's Market and Deano's Café & Lounge could be demolished within a year.

The most significant alcohol-related impact will soon be felt by retail stores that sell beer and wine and that fall under the umbrella of the recently expanded Alcohol Impact Area (AIA), effective this summer. All stores within the AIA will be asked to enter into a Good Neighbor Agreements and voluntarily restrict the sales of high-alcohol content products such as fortified wines and malt beverages, restrict sales of single-serving containers and restrict sale hours. Should efforts to obtain voluntary compliance fail, the liquor control board may impose mandatory restrictions. Statistics from Seattle's smaller existing AIA show a dramatic reduction in alcohol-related problems. Hopefully, a similar effect will be observed in the east precinct's AIA. Stay tuned for more updates.

MULTI-AGENCY EFFORTS COMBAT DRUGS IN SOUTH SEATTLE

Tuere Sala

Following a spike in drug and gang related violence in the

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White Center area, a Drug Enforcement Administration (DEA) led task force went into operation in January 2004. Working in the evening hours, agents arrested drug dealers, armed felons and dismantled a drug distribution network. Three months later, sixty-nine people face state or federal charges and serious prison time. Seven of those arrested face federal felony charges and some, if convicted, face mandatory minimum sentences up to fifteen years in prison. For the first time the DEA, the Bureau of Alcohol, Tobacco, Firearms and Explosives, (ATF) and Federal Bureau of Investigation (FBI) joined with the Seattle Police and the King County Sheriff's Office to concentrate resources in an area with growing problems of drug dealing and violence through the involvement of the DEA Mobile Enforcement Team (MET) program. Many thanks to Captain James Pryor, Commander, Southwest Precinct and the driving force behind the success of this program. The MET program has been in existence since 1995. Under the program, police chiefs and sheriffs may request DEA resources to combat violent drug trafficking organizations. At the request of Captain Pryor a mobile enforcement team (MET) was put together. The MET deployment followed cooperative efforts between the Seattle police department and the King County sheriff's office. Their work, in the fall of 2003, resulted in approximately forty-seven arrests. The arrests, in addition to those over the last four months, mean more than one hundred drug offenders have been taken off the street in the White Center/Delridge

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neighborhoods.

Generally, the statistics demonstrate that in MET deployment areas, assaults are reduced by fifteen percent, homicides by fourteen percent and robberies by sixteen percent. Nationwide from October 1995 to April 2002 more than 14,000 offenders have been arrested and nearly \$25 million in assets seized as a result of MET deployments. In White Center, members of the task force seized 2.5 kilos of cocaine, more than 100 grams of crack cocaine, 474 grams of heroin and quantities of marijuana. Authorities shut down three marijuana grow operations and confiscated three handguns. Three vehicles were confiscated as well as more than \$36,000, and the number of visible street dealers has also been substantially reduced.

The White Center area is one of the most culturally diverse in the region with a significant number of immigrant families. While the crime rate is high, the perception of the crime rate is even higher, and strong, committed community groups are eager to work with law enforcement. White Center is the first area in the nation to have a program in place under the Drug Affected Neighborhood (DAN) 25 Cities program. The High Intensity Drug Trafficking Area (HIDTA) Program has been instrumental coordinating resources and directing law enforcement efforts.

For additional information please contact Emily Langlie, Department of Justice Public Affairs Officer, at 206-553-4110.

NIGHTLIFE & SAFETY MANAGEMENT: LESSONS FROM LOS ANGELES

Tamera Soukup

West precinct captain Linda Pierce and west precinct liaison attorney Tamera Soukup spent Memorial Day weekend with their counterparts in Los Angeles to learn how the Hollywood Division of the Los Angeles Police Department (LAPD) successfully manages nightclub issues. Hollywood is an entertainment district composed of a significant number of large nightclubs surrounded by a residential community.

In the last ten years the Hollywood community, LAPD and Los Angeles city officials developed methods and tools designed to decrease the negative impacts of nightclubs on the surrounding community. Some of the problems experienced include public disturbances at club closing times, violent behavior inside and just outside the clubs, overcrowding, unreasonable noise, littering and lack of parking. LAPD invested a significant amount of resources responding to these issues.

Captain Pierce and Tamera Soukup observed two nights of LAPD nightclub emphasis, and met with LAPD Captain Mike Downing, Chair of the Hollywood Advisory Council, consultant Elizabeth Peterson and others to discuss their system and experiences. The

biggest difference between Seattle and Los Angeles is the number of regulatory tools available to the City of LA to regulate the nightclubs.

Seattle currently employs a complaint-based method in managing problems associated with nightclubs. Surrounding communities and SPD respond to problems as opposed to having ground rules up front for nightclub operators to follow so that problems do not develop. LAPD employs—and enjoys—an active and coordinated approach comprised of its zoning division, fire department, Alcohol Beverage Commission (ABC) and the nightclubs themselves. Available tools include conditional use permits, dance hall permits, ABC permits, state consumer affairs guard permits and daily fire department inspections.

An individual contemplating a new club in Hollywood must obtain a conditional use permit, dance hall permit and liquor license prior to opening. The process of obtaining a conditional use permit is fairly exhaustive and may take into account foreseeable problems before they become a reality. A public hearing is also held to allow all interested parties to express concerns regarding potential impacts.

Typical permit provisions address noise levels, number of and training of security personnel, security plans, security cameras, existence and maintenance of counters at the entry, percentage of alcohol sales to food sales and valet parking requirements. Additionally, if a club has dancing it must obtain a dance

hall permit. The Board of Police Commissioners is responsible for reviewing and approving or denying the application. Conditional acceptance is often one outcome. Standard conditions of a dance hall permit address items such as the size of the dance floor, security plans, security cameras, restrictions on the use of outside promoters, noise situations, valet parking plans, queuing of customers, exterior and interior lighting, notification to LAPD of special events and restrictions of sale of alcoholic beverages.

Written security plans and security guard training are given high priority. Most conditional use permits and dance hall permits require that security guards participate in an LAPD security guard training program and obtain a “Guard Card” issued by the California State Consumer Affairs Division. Other permits specifically require a set number of security officers on duty and in specific locations. They typically also require the use of radio headsets by all security personnel so they may adequately communicate with each other.

Issues of club overcrowding are addressed by the LA fire department strictly enforcing the clubs’ occupancy limits. The fire department employs a full time inspector to inspect clubs on a daily basis for potential occupancy limit and other code violations. Greeters at the clubs are required to use counters at the door to document the

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number of individuals inside at any point in time, and to show the counter whenever the information is requested.

California's Alcohol Beverage Commission issues conditional liquor licenses which restrict the business operations of establishments selling alcohol. The commission has determined that the issuance of an unrestricted license would be contrary to public welfare. Washington's liquor control board has not conditioned their licenses.

Captain Downing created a nightclub subcommittee of the precinct advisory board that meets on a bi-monthly basis to discuss current issues and provide continued training. The nightclub subcommittee is open to any and all club owners and operators. A majority of club owners attend the meetings on a regular basis. The topics have included promoters, date rape/ecstasy drugs, security, parking, licensing, notification of special events, overcrowding and overservice. The meetings facilitate an on-going dialogue and foster cooperation among the police department, club operators, neighbors and other agencies.

Seattle lacks the tools necessary to hold club owners more accountable for the impacts to surrounding neighborhoods. Captain Pierce and liaison attorney Tamera Soukup will

continue to investigate the possibility of developing tools similar to those used in Los Angeles.

SATURATION IN FREMONT?

Ed McKenna

How many alcohol establishments in one community are too many? Can the impacts of alcohol establishments be mitigated? Should new alcohol establishments be permitted to open in Fremont? These are just a few of the questions under consideration by many people who live and work in the Fremont neighborhood.

Successful businesses often attract competition, which appears to be happening in Fremont. Several liquor license applications were recently submitted by prospective new businesses in Fremont. Most applications were for "Spirits/Beer/Wine – Restaurant/Lounge" licenses, which tend to generate the greatest impact on communities. And Fremont residents have long been concerned with the negative public safety "side effects" of existing liquor establishments: everything from parking issues to major crimes. With capacities exceeding one hundred patrons, the Fremont community would definitely feel the impact of the new establishments.

The *Seattle Times* recently published a lengthy front-page article entitled "Fremont: uneasy 'universe'—Influx of pubs and clubs has residents worried that center has shifted." At a well-attended meeting of Fremont

Neighborhood Council, residents, current licensees and prospective licensees all expressed their positions and opinions, sometimes quite heatedly. The Seattle City Attorney's office provided statistics relating to citywide liquor licenses, existing Fremont licenses, prospective establishments and crime in the area. The divergent responses of those in attendance indicated that no clear consensus was going to be reached on the Fremont liquor issue.

One thing remains clear: everyone is interested in seeing Fremont continue as a vibrant economic community. Is there a way that harmony can be achieved at the "center of the universe?" While no harbinger of total harmony, a Good Neighbor Agreement can certainly mitigate the negative impacts of a liquor establishment. Accordingly, the east precinct liaison attorney, working with the police department, proposed Good Neighbor Agreements to all new liquor applicants in the Fremont community. The Good Neighbor Agreements are based upon information provided by the U.S. Department of Justice and Office of Community Oriented Policing Services with the goal of preventing or reducing problems associated with alcohol establishments. Although each agreement is unique, they share provisions that address security measures, occupancy limits, excluding problem persons from the premises, limitations on hours of certain types of alcohol service and working with the community

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and the city on crime reduction efforts. Thus far all new applicants have entered into such an agreement. While not every problem can be resolved by a Good Neighbor Agreement, through these efforts the impacts to the community of additional liquor establishments may be substantially reduced.

SEATTLE POLICE NATIONALLY RECOGNIZED

Tuere Sala

Tom Lattimore of the Local Initiatives Support Corporation (LISC) and Community Safety Initiative (CSI) and Tony To, HomeSight Director & CSI Coordinator presented the 2003 MetLife Foundation Community-Police Partnership Award (2nd place) to the Seattle Police Department at the South Precinct community advisory council meeting. Precinct hosts Chief Gil Kerlikowske and Captain Tom Byers accepted on behalf of the police department.

This competitive, national award was bestowed upon the HomeSight, CSI, South Precinct partnership, in operation since 1998 in Southeast Seattle to bring residents, business owners and local police together to think creatively about crime prevention and solutions. HomeSight and the South Precinct, one of seven awardees for 2003, have focused on two initiatives: GIS crime

mapping and business district capacity building.

The core of the effort is the mapping project, driven by crime data coupled with statistics relating to zoning, land ownership, property violations and witness information. The goal is the identification by community members and police of area "hot spots" that deserve priority attention. Further, these partners are designing solutions and testing them. "The laser-like targeting of this type hits crime hard, but most of all helps the precinct efficiently utilize its resources," according to Captain Byers. "I can deploy them quickly and with a clear mission." Community participants are inspired to see their ideas in action, further demonstrating that voicing concerns can make a difference.

"This is a sterling example of how a community organization, working with police, city officials and developers, can solve problems," said Seattle Police Chief Gil Kerlikowske, "We are grateful to MetLife Foundation and to LISC for this award."

Tony To of HomeSight commenting on the strength of the partnership: "The community crime mapping project would not be where it is today with out the foresight, ingenuity and dedication of Captain Tom Byers, Community Police Team Sergeant Cynthia Granard and Weed & Seed Lieutenant Mike Washburn."

Tom Lattimore of LISC was pleased to present the award locally on behalf of his New York central office that funds CSI programs nationwide. His honor in presenting the award is rooted in more than a decade of community development work in Southeast Seattle through LISC and as former director of Southeast Effective Development. Audience members agreed with Mr. Lattimore as he described the neighborhood's transition from the "shoot'em up" place it used to be. The transition is testament to long-time, dedicated community partnerships.

All seven MetLife Foundation award recipients were nationally recognized at the 2004 CSI Conference in Toledo, Ohio, at the end of May. Sergeant Granard of SPD and Tuere Sala of the Seattle City Attorney's office joined HomeSight in being recognized alongside community-police partnerships from Toledo, Los Angeles, North Little Rock, Olneyville/Providence, Dorchester Bay/Boston and Minneapolis.

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Liaison Links

North Liaison Attorney

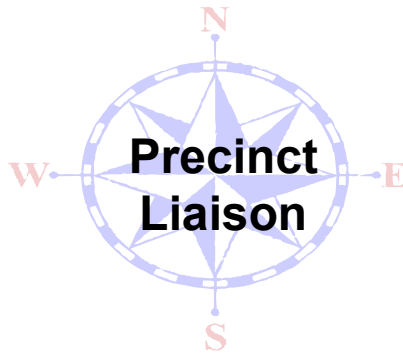
Ed McKenna

206-684-7765

West Liaison Attorney

Tamera Soukup

206-386-4084



East Liaison Attorney

Ed McKenna

206-684-4375

South/Southwest Liaison Attorney

Tuere Sala

206-233-2020

Thomas Carr, 206-684-8288

Seattle City Attorney

Robert Hood, 206-684-7771

Public & Community Safety Division Chief

Dan Nelson, Assistant to PCS Chief, 206-684-7778